



U.S. Department of Justice

*United States Attorney
District of Massachusetts*

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Federal Building & Courthouse
Main Street, Room 310
Springfield, Massachusetts 01103

January 5, 2007

Alan J. Black, Esq.
1383 Main Street
Springfield, MA 01103

Re: United States v. May
Criminal No. 05-30023-MAP

Dear Attorney Black:

In accordance with the government's continuing discovery obligations pursuant to Local Rule 116.1(C) and 116.2(B) and Fed. R. Crim. P. 16(a)(1), and pursuant to your discovery letter of December 20, 2006 I am providing you with the following response.

1. The search warrant documents regarding 94 Whitmun Road, Longmeadow, MA were provided during automatic discovery. The government is unaware of any other search warrants.
2. The government does not currently intend to call any expert witnesses but will provided expert discovery pursuant to F.R. Crim. P. 16 (a)(1)(G) in the event that expert(s) will be called.
3. The government refuses to provided Jencks Act discovery prior to the time period set forth in 18 U.S.C. §3500.
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6. The government will provide its witness list to the defendant 21 days prior to trial.
7. The government intends to offer in evidence pursuant to F.R.

Evid. 404(b) the defendant's sexual relationship with the three minor boys as set forth in the materials provided pursuant to automatic discovery as proof of motive, opportunity, intent, preparation, plan, knowledge, identity, and absence of mistake or accident regarding the crimes charged in the indictment.

8. The government is unaware of any record of arrests or convictions of any of its witnesses and will provide the defendant with any such information if it becomes aware of any in the future.

9. The government is unaware of any promises, rewards or inducements that have been given to any potential witness.

10. The government is unaware of any criminal record of any potential witness.

11. The government has notified the investigators that notes must be preserved.

12. The government refuses to provide Jencks Act discovery prior to the time period set forth in 18 U.S.C. §3500.

13. The government refuses to provide Jencks Act discovery prior to the time period set forth in 18 U.S.C. §3500.

14. During automatic discovery you were provided a report regarding a September 7, 2004, statement made by the defendant to law enforcement authorities. The government is unaware of any other statements by the defendant to law enforcement agents.

15. On August 18, 2006, you were provided a transcript of a consensual interception of April 27, 2004. The government is unaware of any other transcripts of recorded conversations in this case.

16. The government refuses to provide information regarding confidential informants.

17. The government refuses to provide impeachment information at this time but rather will provide it pursuant to L.R. 116.2(B)(2).

18. See response to 11 above.

19. The defendant may inspect all evidence in the office of government counsel at a mutually convenient time.

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21. The government has not translated the Sri Lankan documents which the defendant has in his possession. The government is unaware of any exculpatory evidence.

22. The government has not translated the Sri Lankan documents which the defendant has in his possession or which are equally available to the defendant from Sri Lankan authorities.

23. The defendant was provided during automatic discovery a copy of the search warrant return for the search of the defendant's home. The government refuses to provide an inventory of other seized evidence but rather will make the evidence available for inspection at which time the defendant can make an inventory.

Please feel free to call me at (413) 785-0235 if you have any questions about the above information.

Very truly yours,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Todd E. Newhouse

TODD E. NEWHOUSE
Assistant U.S. Attorney

Enclosures

cc: Bethany Healy,
Courtroom Clerk
Hon. Kenneth P. Neiman
United States Magistrate Judge
(w/o enclosures);